

Cathedral Magdalen & St Augustine's Forum

(formerly the Cathedral Magdalen & St Augustine's Neighbourhood Forum Steering Group).

Town & Country Planning Act 1990 – Section 77 and Town & Country Planning Enquiries procedure (England) rules 2000

Representation

Anglia Square, Norwich

Application for planning permission for the comprehensive redevelopment of Anglia Square and adjacent land on Edward Street for up to 1250 dwellings, hotel, ground floor retail and commercial floor space, cinemas, multi-storey car parks, place of worship and associated works to the highway and public realm areas by Weston Homes plc.

Local Planning Authority Application reference: 18/00330/F
PINS reference APP/G2625/v/19/3225505

1. Introduction

1.1 This representation is submitted on behalf of the Cathedral Magdalen & St Augustine's Forum (CMSA) representing residents, small business and community interests across the wider north city centre area of Norwich following The Secretary of State's decision to call-in the application by Weston Homes for the comprehensive redevelopment of Anglia Square.

1.2 CMSA has consistently opposed the form of development adopted in this

application which it believes to be out of keeping with the historic, mixed use nature of the city centre, in particular due to its scale; which further fails to deliver the form of housing and associated amenity the city centre needs and which will undermine the growing occupation of the north city centre area as a creative, digital and entrepreneurial quarter for Norwich.

- 1.3 While it is widely acknowledged from our consultations and engagements within the local community, and with people from across the city and county with an interest in the site, that there is an urgent need for the Anglia Square site to be regenerated; there is considerable concern that the scheme currently proposed will not just undermine the present role of Anglia Square to support local community life, but will also foreclose on securing the appropriate regeneration of the wider area as a thriving mixed creative industries quarter, and damage the city's attractiveness as a heritage destination.
- 1.4 There is further considerable concern locally at the over-scaled and over-dense nature of the proposed scheme and as to the impact that this will have on the immediately surrounding neighbourhoods as we believe that the negative impacts of the scheme in use (ie to traffic generation, pollution, impacts on local infrastructure, night time light pollution) have been severely underestimated.
- 1.5 There is further a high level of concern that the delivery of the scheme in its present form ie at a density that outstrips what would even be acceptable within central London, would set a precedent for sites within central Norwich which would lead to further such schemes, as well as setting a precedent for tall buildings. We believe that creating such a precedent within a very sensitive and historically important location, which is presently unspoilt by such development, in fact represents a severe harm.
- 1.6 This representation aims to set out that the scheme in its present form will severely harm both the physical form and the functioning of this important part of Norwich City Centre, through inflicting severe collateral damage on the quality of life and physical form of surrounding neighbourhoods and foreclosing on an optimal overall regeneration of the North City Centre area of the city as a creative, digital and entrepreneurial quarter in line with the stated objectives of the Industrial Strategy.

2. Cathedral Magdalen & St Augustine's Neighbourhood Forum Steering Group / Cathedral Magdalen & At Augustine's Forum (CMSA) – Role & Locus

- 2.1 In January 2017 the Cathedral Magdalen & St Augustine's Neighbourhood Forum Steering Group was set up to initiate an application to pursue a neighbourhood plan for the north city centre area of Norwich.
- 2.2 The group that came together represented a mix of local residents, businesses

and community groups and it was the intention to pursue a hybrid residential and business neighbourhood plan.

- 2.3 The area across which it was intended to plan included the Anglia Square site.
- 2.4 It was the intention of the neighbourhood forum steering group to revise the North City Centre Area Action Plan which had come to the end of its life in 2016 and is therefore no longer part of the adopted plan for Norwich, and to expand its ambit to take in the wider area which we believed to be justified due to the urban form ambition to re-knit north and south of the River Wensum, the co-dependency of local communities on Magdalen Street as the neighbourhood shopping street and the overall economic character of the area as an emerging creative industries quarter. The absence of a detailed layer of local plan covering the North City Centre area which is experiencing dynamic change could be considered to be one of the reasons for the controversy around the Anglia Square scheme emerging.
- 2.5 The boundary of the proposed plan area was relatively widely drawn to reflect the critical role played by Magdalen Street in connecting the civic cathedral quarter area bounded by Prince of Wales Road to the South with the northern part of the city centre bounded by the city wall, known locally as 'Norwich over the Water'.

This area identified for the proposed neighbourhood plan historically formed the rough limit of the original Anglo Saxon settlement which developed on both banks of the River Wensum, the urban form of which is still evident in the historic street plan. It is a thoroughly mixed use area and forms an important functional element of the contemporary city centre with, in addition to its concentration of heritage buildings and public spaces, a very considerable diversity of uses and mix of activities which have encouraged its reoccupation in recent years by a growing creative, digital and entrepreneurial business presence with associated shops, cafes and related servicing. It is also the locus of the Norwich University of the Arts, which to an extent operates as a 'mother ship' for a wider range of creative businesses and 'creative independents'.

- 2.6 During the course of extensive community consultations and stakeholder engagements a high level of concern was raised as to the nature of the emerging scheme for Anglia Square.
- 2.6 Conscious of the requirement of neighbourhood planning entities to work positively to secure optimal development within an area we offered to facilitate a dialogue between the developer and the diverse community interests which had contacted us with concerns.
- 2.7 While the developers did not take us up on this offer, they did however agree to receive a 'community brief' which CMSA pulled together to articulate the

views we had received from across the local community and through engagement events as to what the aspiration for the scheme should be in terms of use, scale and place making. This is attached at Appendix A.

- 2.8 The scheme which emerged and which constitutes the subject of the call-in was so far from the aspiration that had been set out by the community, that we felt we had to take further action.
- 2.9 On the basis of voluntary commitments of professional time CMSA worked with St Augustines Community Together Residents Association (ACT) to undertake a community planning for real exercise. Local designers gave time pro bono in a personal capacity to run a community design weekend which took place at St Augustine's Community Hall, on the edge of the site, in January 2018. This engaged local people in a co-design exercise to articulate a community vision for the redevelopment of the site incorporating the requirements set out in the 'community brief'. Given the limited resource available to us, and lack of of technical data, we were not in a position to test the viability, nor deliverability of the community vision.
- 2.10 We submitted the community vision to Norwich City Council for consideration. This is attached at Appendix A.
- 2.11 In June 2018 having applied to Norwich City Council for recognition as Neighbourhood Forum, and having grown our membership to around 80, we were turned down.
- 2.12 In July 2018 the steering group agreed to carry on as a general amenity forum for the wider area and continued to advocate the community vision approach for Anglia Square and the identification of the wider area as a creative, digital and tech industry quarter.
- 2.13 In Autumn 2018 the Forum submitted detailed representations asking Norwich City Council to turn down the Weston Homes planning application and wrote to the Secretary of State ahead of the determination to ask him to call in the scheme in the event it was permissioned.
- 2.14 During the course of the Planning Committee meeting at which the scheme was discussed a number of parties all of whom opposed the scheme joined together to jointly write to the Secretary of State asking for the scheme to be called in.
- 2.14 CMSA continues to operate as a focus of community activism for the wider area.

3. The Development Context

- 3.1 The Anglia Square site sits within an area that is deeply mixed use in its nature.
- 3.2 The historic street pattern reflects its history, which dates back to the earliest Anglo-Saxon settlement of Norwich on the banks of the Wensum. Serving a wide residential catchment. Magdalen Street to the east of the site operates as a local 'high street' meeting day-to-day shopping and community servicing needs. This local retail provision co-exists with small-scale independent retailers, which together make Magdalen Street an exciting and quirky retail environment.

The area to the south of the site centred on Colegate also hosts an established and growing creative, cultural and tech industries quarter centred around Norwich University of the Arts, adding to the established professional occupation of the area as well as number of educational establishments, faith and cultural organisations.

The many historic buildings and public spaces that lie within the immediate vicinity contribute a significantly to the city's visitor offer.

To the north west of the site is an historic 'urban village' centred on St Augustine's which has been the subject of regeneration investment, and which benefits from access to the Gildencroft a very historic park - which will be substantially overlooked by the proposed development - and the historic Quaker Burial Ground. Housing is most at 2-3 storeys, an accommodated in a mix of Victorian terraces, some earlier and important Tudor and Georgian buildings and in 20th c housing in terraced or semi-detached format.

To the north of the site lies a grid-iron of two storey Victorian terraces which are popular with young families as relatively affordable first time or rental homes, and with residents who value the proximity and walkability to the city centre.

To the north east of the site lies a further area of housing, again accommodated largely in two storey terraces, while to the east of the site lies the St James' Wharf development which introduced a modern office quarter to the city centre in proximity of the Norwich Courts and which accommodate a number of professional firms and the Broads Authority. These buildings are modest in height rising to a maximum of 6 storeys.

Key aspects of the area are:

- A series of residential urban villages, all dependent for their daily servicing upon Magdalen Street/Anglia Square.
- Magdalen Street functions both as a valued local high street and also as a character retail area, which is part of the city's visitor offer
- Important heritage buildings and streetscapes
- Presence of Norwich University of the Arts, Jane Austen College, Magdalen Gates School.
- Arts and cultural facilities, affordable studios, workshops, venues and exhibition spaces.
- Faith organisations, associated churches and social enterprises, volunteer-led enterprises and charities.
- Professional and legal firms, and proximity to the Norwich Combined Courts.

Critical characteristics of the area are its diversity, mixed use nature, walkability and accessibility as well as its strongly historic character.

- 3.3 The Anglia Square site is one of a relatively large number of sites which are coming forward in the North City centre area for redevelopment and we have continued to make the point to the local authority that it would be more beneficial to the city if the cumulative effect of these site opportunities were planned for on a cross site basis, potentially through an update Area Action Plan and urban design framework for the North City Centre. In this way over-densification of a single site could be obviated; the correct level of infrastructure servicing put in for the wider growth of the area and parking handled in a sensible area based way.

We suggest that Norwich City Council have over-played the significance of this individual site to meeting overall housing numbers and land supply, and that a more strategic cross site approach securing appropriate levels of density (given the conservation area context) would represent a more productive approach and secure better place making overall.

3.4 Site History

While it has been argued that the specific conditions of the site have prevented it from being brought forward for development by the private sector, it should be noted that successive owners did in fact bring forward proposals for the site, these were superseded by changes in the retail sector (ie the site's original planning designation), over-payment for the asset and then the property crash; the site was then frozen for a number of years as a result of the property crash within NAMA Ireland's National Asset management Agency. It was then promptly brought forward for development by the new investor /developer.

The scheme appears to be an opportunistic response to a new approach to the delivery housing numbers, the 5 year land supply and the availability of funding for build to rent schemes rather than a measured response to the regeneration requirement and need of the local area, stakeholders and the community.

We suggest that, given:

- the very high level of public funding anticipated;
- the needs of the local community (which ranks high on the IMD);
- the economic opportunity of the emerging creative industries quarter in the north city centre area, and
- the need to respond appropriately to the conservation setting,

in line with the requirement within the NPPF that development build strong, vital and healthy communities, the development process should have started from a very different perspective, namely by interrogating these needs and how development could best respond. A highly contextual scheme would have likely then have emerged rather than the universal, anywhere architecture of the present scheme.

5. The Call In

5.1 In setting out his decision to call in the planning application and to hold a local enquiry, the Secretary of State set out the matters which he particularly wished to be informed about for the purposes of his consideration of the application as follow:

- a) The extent to which the proposed development is consistent with Government policies for delivering a sufficient supply of homes (National Planning Policy Framework (NPPF), Chapter 5);
- b) the extent to which the proposed development is consistent with Government policies for building a strong competitive economy (NPPF Chapter 6);
- c) the extent to which the proposed development is consistent with the Government's policies for ensuring the vitality of town centres (NPPF Chapter 7);
- d) the extent to which the proposed development is consistent with Government policies for conserving and enhancing the historic environment (NPPF Chapter 16);
- e) the extent to which the proposed development is consistent with the development plan for the area including any emerging plan;
- f) and any other matter the inspector considers relevant.

5.2 CMSA's submission to the inquiry responds to all of these matters, however particularly focuses on a), b), c) and f).

6. CMSA Case

6.1 Housing

(a) 'the extent to which the proposed development is consistent with Government policies for delivering a sufficient supply of homes (National Planning Policy Framework, Chapter 5)'

6.1.1 To the extent that the scheme delivers a large volume of units, superficially this could be seen to be supportive of the policy objective given challenges elsewhere within the GNLP of delivery against the 5-year land supply. Given the nature and context context of the site, however, lying as it does within an important set of conservation areas; in a highly mixed and diverse city quarter which is the locus of the developing creative and digital economy, and representing one of the most accessible locations in the whole county served by multiple bus routes and within proximity of the railway station, the question must be raised as to whether this volume of residential development is the correct use of land in this location.

There are a large number of unexercised planning permissions in sites within the outer city centre and on the urban fringe – all within the wider GNLP area - which are highly suitable for residential development, and potentially with greater residential amenity. We would argue that the pursuit of housing targets in satisfaction of the 5-

year land supply, given the availability of suitable and permissioned land elsewhere, should not supercede the need to deliver development that is appropriate to the location in scale, density and disposition of use.

6.1.2 NPPF guidance looks to deliver *‘strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present a future generations.’* We believe that the scheme does not meet the standard required by this test.

Quantum of Need

A relevant strategic policy is the Joint Core Strategy (JCS) which was produced over ten years ago and was adopted around 2011. The JCS sets a single affordable target of 33% across an area of wide disparity both from an economic and demographic point of view. The scheme clearly does not meet this target.

This single target approach is however outdated and has been superceded by more recent assessments of need (SHMA 2017 for the GNLP), and by the revised NPPF which looks for a ‘finer grain’ statement of housing need based on neighbourhood areas.

Qualitative Need

Nor does the narrow typology of housing to be delivered by the scheme (637 1 bed units; 563 2 bed units; 9 houses) meet the broad requirement set out in the NPPF looking for a “sufficient number and range of homes can be provided to meet the needs of present an future generations”.

A finer grain assessment of housing need within the Anglia Square area should have been undertaken to inform residential typologies for inclusion within the scheme.

Such a qualitative assessment of local housing need would likely reveal that, due to the high concentration of individuals living and working in the area who are engaged in the creative, entrepreneurial and cultural industries (an identified key priority of the Industrial Strategy) that residential accommodation that meets the needs of individuals working within this area of the economy should be specifically included within the scheme. This could include live/work/sell accommodation; accommodation with sufficient space to work from home; tenure terms that take account of the likelihood of self employed tenants or first time buyers – but presently does not.

A sensitized local housing need assessment might also identify that the area is particularly attractive to older people who may wish to live within a supportive community and within a highly accessible location not requiring the use of a car (such as at The Great Hospital, Doughty’s, Little Bethel, The Close). Such occupiers might better be served by a less dense accommodation within a more self-contained environment that could encourage beneficial mutual support networks.

To our knowledge there is a high level of homelessness in the area. While it may not be appropriate nor feasible for this to be addressed within the scheme, the localised issues of homelessness should have been acknowledged to inform the design of the scheme, and to inform a contribution from development whether via s106 or CIL to support and on- or offsite provision to support measures to combat homelessness or the causes of homelessness.

Qualitative Demand – Locally Sensitised

Localised and in particular *demand* assessment would likely reveal that a high level of young families within the area of small Victorian terraces to the immediate north of the site. Many of these families wish to trade up while remaining within this highly diverse, walkable area of the city and therefore family maisonettes and duplexes to accommodate their grow-on requirements on a localised basis should be included within the scheme.

The present disposition of units within the schemes does not indicate that such locally sensitised needs and demand assessments have in fact taken place nor been acknowledged in the development planning.

6.1.5 Strong & Vibrant Community

The present scheme diverges so far from what was identified by the community through successive stakeholder involvement and co-design exercises that it is hard to envisage that it will deliver a 'strong and vibrant' community.

There is a high level of concern that the much valued local servicing presently accommodated at Anglia Square and on Magdalen Street will in fact disappear through a process of gentrification and sterilisation.

There is also concern at the impact the overdevelopment of the site would have on local services and infrastructure. This would weaken not strengthen the local community.

6.1.6 Heathy Community

The guidance looks for projects to demonstrate that they will encourage healthy communities. The vast scale of the scheme is likely to generate a high level of movement in and out of the car parks. The developer's traffic assessments in our view underplay the impact this will have on the local street network, increased levels of congestion and localized pollution. All of this will be exacerbated by the very high podium buildings, which will operate to trap pollution, and which will be a hazard to the health of established local residents and in-movers.

The very small single aspect nature of many of the flats will not produce an amenable nor healthy living environment.

6.1.6 Affordability

Part of delivering strong, vibrant and healthy communities is to ensure that the housing produced will be affordable to local people such that it meets indigenous

housing needs and demand and is not simply servicing the property investment market nor solely satisfying in-mover demand.

Community interests have sought assurances from the developer and local authority that at Anglia Square the housing will be offered to the local market as is increasingly be required by the Mayor of London's office <https://www.london.gov.uk/press-releases/mayoral/homes-under-350000-to-be-offered-to-londoners>. Such an assurance has not been given. This would suggest, that given the nature of the scheme which is large scale and may be suitable as a build-to-let investment, there is a high level of risk that the scheme will not only fail to meet Norwich's housing needs but will also fail to address locally generated demand requirements, with external or institutional purchasers displacing Norwich based households.

Even if the scheme were first offered to the local market, a design of this nature can often prove to be inherently unaffordable. Individual householders are limited in their ability to buy off-plan due to the incompatible timeframes involved in securing a mortgage offer, the length of time from sales campaign to completion of a scheme. We consider that, due to these factors, there is a very high risk that a scheme designed in this way will, in its conception, fail to meet local need or demand and will instead be sold to well-funded in-movers, individual or institutional investors.

A further aspect of the un-affordability of a scheme conceived in this way will be the necessity of imposing a service charge regime, and possibly a ground rent regime. Taken together these can significantly elevate the cost of occupation and make properties conceived in this way especially unaffordable.

We contend that the manner in which the scheme is conceived makes it inherently unaffordable to the local market and thus it will not serve to fulfill the objective of building a strong, vibrant healthy community, nor satisfy local housing need nor demand. This is particularly unacceptable given the extent of damage caused to the historic context; to the amenity of neighbouring properties and also because of the very high level of public subsidy which the scheme intends to attract via The Housing Infrastructure Fund (Homes England), a remission on Community Infrastructure Levy, and, we understand, via a Vacant Building Credit.

6.2 The Economy

(b) "the extent to which the proposed development is consistent with Government policies for building a strong competitive economy (NPPF Chapter 6)

DM16 and DM17 – Business

The scheme potentially will harm business and particularly small businesses. A number of small businesses have already been displaced by the scheme. While the developers suggest that they will make a certain amount of space available at low rents, the inherent nature of the large span, clinical space designed is generally unattractive to small businesses and the terms of occupation difficult for small businesses to meet.

Many traders on Magdalen Street are concerned at the impact the scheme will have on their businesses – which are generally small scale, oriented towards the local community, and which have become a magnet for traders of diverse nationalities, and trading a wider range of second hand goods and niche businesses. The standard commercial format of the proposed scheme is not in keeping with the character of business within the area. Some antiques traders in Magdalen Street have an international clientele and can evidence the fact that visitors come from all over the world to visit Magdalen Street for its character and character trading. This character will be undermined, and potentially this visitor offer, by the scheme.

The north city centre area has become associated with creative, entrepreneurial and digital businesses. The attraction and support of the creative and digital industries is identified as a key objective of BEIS' Industrial Strategy and this is mirrored in the New Anglia LEP Economic Strategy. We understand that Norwich City Council is undertaking work to identify the extent of and needs of the digital and creative industry communities in the city we note that the Norwich Business Improvement District has noted the north city centre area as 'the creative quarter' in recent publications.

Such businesses typically prefer to occupy small footprint second-hand space on relatively flexible terms. The neighbouring St George's and St Mary's Works have become a magnet for such businesses, and Colegate and Magdalen Street perform a strong role in anchoring this wider creative community. Many such businesses have expressed concern at the impact that the Anglia Square scheme will have on the creative and entrepreneurial character of the area, which relies on clustering and cross fertilization. By failing to respond to this character and occupation, and potentially damaging the wider amenity of the creative industry cluster within the wider North Norwich area with an unsympathetic development format, we suggest that the scheme will damage Norwich's ability to secure and grow its creative and digital industry quarter. We contend that the scheme in its current conception does not support securing north Norwich as a creative and digital industries quarter for the city, insofar as the nature of streetscape and commercial space on offer is not of the format that is attractive to such businesses.

'Place' is increasingly recognized as a factor in competitiveness, and this was recognized in one of its five foundations of productivity in its White Paper Industrial Strategy: building a Britain fit for the future. In the light of the new National Design Guide and new emphasis on design and place making, it is our view that the scheme does not sufficiently respond to government nor to local policy which looks for place making to support business and competitiveness.

6.3 Town Centres

(c) "the extent to which the proposed development is consistent with the Government's policies for ensuring the vitality of town centres (NPPF Chapter 7)

DM 18, DM20, DM21 and NPPF Chapter 7: Ensuring the vitality of town centres

Government policy within the Framework requires planning decisions to support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation. Paragraph 85a requires planning policies to define a network and hierarchy of town centres and promote their long term vitality and viability by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters. Paragraph 85 f) specifically recognises the important role residential development can often play in ensuring the vitality of centres.

Norwich has been very successful to date in protecting the vitality of its core city centre area through strong policies to restrict inappropriate competition from out of town locations.

It has two shopping centres Castle Mall and Chapelfield. The older Castle Mall centre suffered in its popularity from competition exerted by the newer Chapelfield scheme. Both shopping centres are well occupied, but given the fragile state of the multiple retail and food sectors it is likely that there is a degree of fragility in maintaining the occupation of these existing shopping centres. The proposed scheme in its current format would potentially compete with the Chapelfield and Castle Mall shopping centres and undermine their viability.

Anglia Square lies within and forms an integral part of the Anglia Square/Magdalen Street Large District Centre. JCS19 identifies Anglia Square as one of two Large District Centres within Norwich city centre. These centres are second tier shopping areas within the JCS defined retail hierarchy, one level below Norwich City Centre's defined primary and secondary retail areas. Large District Centres are intended to serve a wider than local function, the principal catchment area for Anglia Square being defined as including the Norwich's northern suburbs and extending out as far as the outer ring road. Under current conditions within the retail market the status of Anglia Square as a 'large district centre' should be questioned as this reflects a categorisation of activity that is rapidly losing currency as town centres are having to adopt to the challenges of multi channel retailing and the need to reinvent town centres for a new commercial environment.

The present community retail provision at Anglia Square on the other hand very adequately serves the needs of the extended local community and is highly cherished by local residents as affordable and walkable, and which operates as a heart to the North Norwich communities. While we support the principle of a mixed use redevelopment of the site, we are concerned that the present scheme does not sufficiently re-provide the community focus of the present Anglia Square. The scheme turns inwards rather than outwards and compromises the potential to secure and grow the convenience retail component that is much needed to service the local residential neighbourhoods on a walkable basis with retail space that appears to be ill matched to this purpose. (Over-large footprint and unsympathetic format for local retail).

We contend that the economic driver for the mixed use regeneration of the north city centre area comes from the increasing occupation of the area as set out above by entrepreneurial, creative and digital businesses, and with the complementary proximity to Norwich University of the Arts and a growing student occupation of the north city centre area. The scheme as currently proposed follows the format of a standard mixed use shopping centre, as such we contend that rather than secure the health of the town centre it will jeopardise this by both competing with the existing centre and failing to match the key economic dynamic of the area with suitable space.

The 'large district' designation needs to be urgently re-examined in the light of changing retail trends and growing evidence of town centre regeneration which suggests that the encouragement of a much more flexible form of mixed use that enables a range of maker units, retail, leisure and professional occupation will enable successful reoccupation of non core city centre areas. We are concerned that the standard format shopping and mixed use proposition approved in fact will be difficult to let and will operate to compete with the existing city centre. If unsuccessful as a retail environment the space is un-adaptable and it is difficult to envisage how it might be reused.

6.4 The Historic Environment

(d) the extent to which the proposed development is consistent with Government policies for conserving and enhancing the historic environment (NPPF Chapter 16)

We consider the scheme to inflict substantial harm on the heritage of city that will set a dangerous precedent for future development within the historic core and within conservation areas at a national level.

Other parties are more qualified than we are to challenge the scheme's approach to heritage and we both agree with and defer to their approach.

6.5 Development Plan

(e) "the extent to which the proposed development is consistent with the development plan for the area including any emerging plan;"

6.5.1 Harmfulness of development weighed against material gain

We set out below where the scheme can be shown to cause harm when judged against the relevant planning objectives set out in the local plan, and where it has failed to secure gain. The approval of the planning permission turned on what was described as a finely balanced judged of gains versus harms, and the planning committee took the view that the overall gain outweighed the harm., To quote the chairman of the planning committee "This is not the best scheme..'. We would argue

that it falls far short of producing gain relative to the extent of damage caused, and failure to secure benefit which may have been available through redevelopment.

6.5.2 Harm

We have considered how the present scheme can be deemed to cause 'harm' to the area with reference to the local plan development management policies:

a) DM2 – Amenity

We consider that the development would result in an “unacceptable impact on the amenity of the area”. In some instances, very direct amenity impacts would be felt by neighbouring occupiers through overbearing their properties, overshadowing, dwarfing surrounding neighbourhoods, overburdening local infrastructure (through traffic movement and through the volume of new residents), through night time light pollution, through pollution and emissions generated and through spoiling the heritage setting of the north city centre area with inappropriate development.

b) DM3 – Design Principles

Long views

We consider that the development fails to satisfy section DM3, item b.

Long views have been identified within:

- Norwich City Centre Conservation Area appraisal.
- Anglia Square PGN Map 3 and paragraphs 7.88 – 7.90

The PGN states that the redevelopment of Anglia Square offers opportunities to reinstate and improve the views from the north of the site to major city landmarks including the Anglican Cathedral. The proposals instead use the height of Anglia Square as a justification for further increases in height, and do not reinstate the views previously lost.

The PGN further states that certain vistas and viewpoints within this part of the conservation area may determine where development can occur within the site boundary, without negatively affecting the setting and significance of the identified heritage assets. The current proposals do not achieve this.

The planning committee report clearly lays out the harm caused to:

- *The View from St James Hill*
This is the most sensitive of the three panoramic views due to the ability to see all of the city's landmarks and its resulting popularity. The Anglican Cathedral would remain the pre-eminent building, but the proposed tower would distract from group of iconic buildings. By strictly applying the TVIA method, and there is no reason why it should not be applied strictly, this leads to a major-adverse effect
- *The view from Mousehold Avenue*

The report states that the proposed tower appears lumpen and its visible bulk would be equal to the slender Cathedral and central to the view, thereby detracting from the Cathedral.

- *The view of the Cathedral approaching from the North*

This would have greeted visitors to Norwich for centuries. Existing buildings on the Anglia Square site currently largely obscure it but the proposed development fails to reveal more from outside the development.

Some of the effects of the development are judged to be major-adverse according to the methodology of the townscape and visual impact assessment, and we do not see why this should be considered to be lessened just because the setting is already compromised by the present Anglia Square development. On the contrary, it should be a prime objective of the development to mitigate that historic harm.

Norwich City Centre Conservation Area Appraisal

Comparative note on skyline and views protection policies Norwich and York – One Planning – November 2018 (see Appendix x)

Local distinctiveness and character

We consider that the proposed development does not respect or respond to the character of the area and damages the local distinctiveness and character of the area as a result. The scheme is universal in its architecture and does not respond to local context.

Layout and siting

The proposal has a negative impact in terms of its appearance and will overbear its neighbours. The scheme will overbear the historic Gildencroft and Quaker Burial Ground (which are rare pieces of green open space serving the immediate area and the wider city centre), and insufficient consideration has been given to the overshadowing of public spaces (see DSE review)

Design South East review of pre-application version of the scheme – April 2017

Density

We consider that the proposed development is not in keeping with the density of the area (nor anywhere else in the City of Norwich), and damages the character and function of the area as a result.

The Norwich Society has shown that the densities proposed would not be acceptable in central London where super-density is established and is justified due to the extreme challenges of London's property market conditions and affordability. We do not believe that those circumstances pertain in Norwich.

The tension between the design and the quantum of development was highlighted by Design South East when they reviewed an earlier pre-application version of the scheme. The panel was concerned that this proposal constitutes overdevelopment.

They felt it would not be possible to sensitively resolve a scheme at this level of density in this location and called for a clear demonstration of the viability evaluations driving the brief. Issues relating to this include the way that proposed buildings relate to the city's surrounding historic fabric, the extent of overshadowing of public spaces, and the proliferation of single aspect flats.

Design South East review of pre-application version of the scheme – April 2017

Height, massing, scale and form

The form of the existing Anglia Square has been acknowledged to have damaged the streetscape however was a product of its time. This does not mean it should set a precedent, and the opportunity of redevelopment should constitute the juncture at which historic harm caused should be put right.

The street sections within the development show a more extreme ratio of height to width than is characteristic of the conservation area, or indeed of the city as a whole. Overall the mass of the whole development would make it look, from certain vantage points like the castle ramparts and the pedestrian refuge on Aylsham Road, as a “city within a city” in contrast to the scale and character of its surroundings.

We do not agree with the argument put forward in the report to the planning committee namely that that, *because Anglia Square already has these anomalous characteristics when viewed from a distance, any new development does not need to successfully harmonise with its surroundings*. It is our view that redevelopment offers an opportunity to restore the character of this important and cherished part of Norwich city centre restitching the historic core to the walkable and populous North Norwich Victorian suburbs.

The Building for Life 12 assessment in the committee report also makes clear the problems of design impact on the surroundings:

- there is an abrupt change in scale to the parts of block A on the south side of Edward Street which rise seven to nine storeys and form part of a block with a very large footprint
- Although the nine storey elements will be mostly hidden in views along the street because the seven storey parts project further out, this part of the development will fail to integrate well into its surrounding in terms of scale. This is also apparent and problematic in views from further away to the north
- the buildings behind the Magdalen Street frontage build up quickly from 4 to 7, 9 and 11 storeys and this discordant relationship will be strongly apparent in views towards Magdalen Street from Cowgate
- The absence of buildings of any scale to the west of Pitt Street will mean that this edge will mark a very strong change in the character of building within this part of the city.

Impact of the tower

Some significant public spaces in Norwich are marked by taller landmark buildings (E.g. the Marketplace addressed by City Hall and St Peter Mancroft Church) but others do not have a single landmark (e.g. Tombland), or have a landmark that is not tall (e.g. St Andrew's Plain).

It does not follow therefore that a new public space in the north of the city centre *needs* a tall building or a single landmark, as argued by the applicant. Further, all the landmark buildings that positively punctuate the skyline and define public spaces have a civic or spiritual purpose. A residential building could not perform this function as effectively.

The committee report **accepts** the applicant's argument as '*indisputably true*' that a tower would be a way marker helping orientate people moving around the city and would therefore be a benefit. We strongly disagree that this argument provides any legitimacy for the building of a tower, with all the associated harm described. In fact, seen from below, the waymarking effect of towers have little or no effect as they often cannot be seen.

We would also highlight the danger of setting a precedent for a cumulative increase in the height of buildings across the city centre, which would harm its character. We would argue that any developer could use the same arguments of a 'marker building' and financial viability, and therefore this scheme encourages rather than inhibits other developers to follow suit.

c) DM9 – Safeguarding Norwich's heritage

We further refer to NPPF Chapter 16 and Norwich City Centre Conservation Appraisal.

We consider that Norwich's heritage has not been sufficiently safeguarded as part of this development and will cause irreparable harm to nationally important heritage assets and will set an irresistible precedent for future development once the principle of height and density is established.

Norwich City Centre Conservation Area Appraisal

Anglia Square PGN

Map 4 and paragraphs 3.16 – 3.23 and 7.82 – 7.96 of the Anglia Square PGN are relevant to this.

Paragraph 3.18 states that the height and traditional character of buildings and streets to the north and east of the site need to be respected in the development to ensure the buildings, streets and their settings are not unduly dominated or harmed by the new buildings. The proposed development fails to do this.

d) DM12 – Principles for all residential development

We consider that the development is harmful in relation to criteria b and e of local plan policy DM12.

Item b, which states that “Proposals should have no detrimental impacts upon the character and amenity of the surrounding area...”, is addressed directly within the committee report with “These matters are considered in detail in other sections of the report.”

Item e, which refers to density, includes the statement “At least 40 dwellings (net density) per hectare should be achieved unless this would have a harmful impact on character and local distinctiveness of the area...” (emphasis ours). Where the officer seeks to address this clause within the committee report, the clause is incorrectly labelled ‘f’, only the first sentence is quoted, and the following three paragraphs (220 – 222) address only this element of the clause.

We believe that this policy has not been sufficiently addressed by the applicant, and that the LPA has failed to take into account the harm to the character, amenity and local distinctiveness of the area when assessing against this policy.

6.5.3 Material Gain

In the paragraphs below, we set out where we consider that the proposed development fails to provide material benefits, with respect to planning policies within the local plan and as identified through the planning guidance note for the site.

a) DM1 – Achieving and delivering sustainable development

We consider that the proposed development fails to achieve the broad objectives of this policy and national policy NPPF paragraph 8 on which it builds. Further detail is given below in relation to some of the particular objectives, it also falls short of demonstrating ‘no net harm’.

The form of construction adopted is unadaptable to change of use over time, this will constrain the lifecycle of the building and its future proofing must be questioned. The scheme fails to adopt available sustainable technologies and building practices to a convincing degree – which is a clear deficit particularly given Norwich’s City Council recent success in securing a Stirling Prize for a council development within the vicinity of Anglia Square. It would be hoped that the impact of Goldsmith Street would be to raise the bar for other commercially led developments in the city, but the scheme does not appear to have been influential on the Anglia Square development.

b) DM2 – Amenity

We consider that the proposed development fails to provide the “high standard of amenity...” required by local plan policy DM2, which is clarified and developed upon within the Anglia Square PGN (paragraph 7.42 -7.43). We have particular concern about:

- Single aspects flats (note DSE’s review)
- Long access corridors with little or no natural light
- Delivery and visitor access convenience and experience

c) DM3 – Design Principles

We consider that the proposed development has failed to take the opportunity to enhance the local character, as required by DM3 item C.

Local distinctiveness and character

The PGN makes the point that there may be scope to provide a landmark building within the site, however a landmark building does not necessarily need to be a landmark as a result of its height. It also sets out that particular attention must be paid to such proposals in view of the highly sensitive townscape of the St Augustine's Street area. We do not believe that this has been achieved.

The PGN states that any proposed tall buildings will need to be carefully designed, positioned and oriented to complement the historic streetscape and respect key views across the city centre from and through the site. The proposed tower does not satisfy this requirement.

Energy Efficiency and Climate Change

In our view the design of development has not sufficiently meet the requirements of DM3 in relation to energy efficiency and climate change. The building is unambitious in its use of available technology to achieve sustainable approaches to heating, lighting, water and waste. The building is inherently unadaptable in its form and therefore will create a burden on future generations when it comes to be redeveloped.

c) DM9 – Safeguarding Norwich's heritage

DM9 states that development shall maximise opportunities to preserve, enhance, or better reveal the significance of designated heritage assets and that of any other heritage assets subsequently identified through the development process.

This is particularly relevant to this application with respect to the designated heritage asset of the conservation area, and in particular to the character of:

- the St Augustines character area, including the listed buildings of St Augustines Church and Gildencroft cottages (any others?)
- the Magdalen Street character area, including listed buildings
- the Colegate Character area, including the listed buildings of Doughty's Hospital

We do not believe this policy requirement has been satisfied.

d) DM12 – Principles for all residential development

We consider that the proposed development fails to deliver the benefits as required by local plan policy DM12, especially list items d and f. We consider that the development fails to deliver the housing mix required, when assessed against the SHMA. The reduced level of affordable housing, and the fact that no affordable housing is proposed within the first phase exacerbates this mismatch further. This is especially relevant given the level of Housing Infrastructure Fund investment that has

been allocated to this development, and therefore the LPA should expect a wide mix of housing benefits as a result. The development, at over 1200 homes, would be larger than many villages, and it is unreasonable to provide only a very narrow mix of tenures, sizes and types within this.

6.5.4 Balance of Harm to Gain

It is our view that the benefit ie of redeveloping the site/attracting investment to Norwich is not outweighed by the harms caused, nor the gains required in planning which have been foregone through the nature of development pursued.

Overall the scheme will cause long term damage not just in its impact on the skyline, conservation areas and neighbouring properties but also through the precedent it will set for future development both at a local and national level.

6.6 Other Matters of Relevance

“(f) and any other matter the inspector considers relevant.”

6.6.1 NPPF, Community & Stakeholder Involvement

While the developer has undertaken a standard consultation exercises expected with development of this nature, these have failed to demonstrate that they have been truly iterative and reflective exercises in terms of the design development process.

CMSA and other Norwich representative and conservation bodies acted early and decisively to attempt to enter into a dialogue with the developers and council as to how local aspirations for development might influence the scheme design. These efforts were not met by the developer.

Design South East advice was similarly largely ignored, as was Historic England’s as far as we can see.

It is difficult to see how else the design development of a strategic and important scheme of this nature and with this sort of approach to development could possibly be influenced other than through the negative route of challenge.

Local interests went even further through the production of the Community Vision scheme, and it is extremely disappointing to note that this was dismissed (Committee Report) as an unviable approach without any dialogue either with the planning authority nor the developer.

It is our view that the fact that a scheme of the damaging and inappropriate nature of the present Anglia Square proposal can have been permissioned by a local authority is testament to the inadequacy of the NPPF (as at December 2018) to sufficiently control development. We note that a revised version of the NPPF was issued in January 2019 and hope that this call-in will test the strength of the new NPPF to regulate development that is appropriate to location, which positively engages community aspirations and which brings sufficient benefit to areas through the development process.

6.6.2 HIF

We would further make the point that Homes England's guidance to the Housing Investment Fund states that community and stakeholder support should be demonstrated. This scheme patently does not demonstrate community support. It has raised a very large number of objections. Norwich City Council suggests that the number of objections was 399 as against 62 letters of support. In addition to this two petitions objecting to the scheme gained over 500 signatures. The Homes England funding is essential to unlocking development on this site and it should surely be a criteria of spend of public money of this order of magnitude that it reflects development that is welcomed by the community, and delivers on local aspiration. We do not believe that this can be demonstrated in the case of Anglia Square.

6.6.3 Value for Money

Finally, we would respectfully make the point that a very significant amount of public money has been secured to unlock this development through the Housing Infrastructure Fund, remitted Community Infrastructure Levy and Vacant Building Credit.

It should be inherent in decision making around such a high level award of funding that a full range of community benefits other than simply the achievement of development and housing numbers is met.

We are aware of schemes within the vicinity such as St Mary's Works, Barrack Street site which are being taken forward at a much more sympathetic level of scale and appropriate architectural approach without a public funding contribution. While we understand that there are abnormal conditions relating to the Anglia Square site relating to demolitions and potential removal of contamination, these are not so insuperable and expensive that a scheme which causes so much collateral damage should be enabled through public funding.

7. CMSA Documents

We would draw to your attention the following documents, which are widely referred to in our statement of case, namely:

Appendix A - CMSA St. Augustine's & Anglia Square Regeneration Community Brief and Community Vision

Appendix B - CMSA Report from One Planning on the Skyline

Appendix B (2) Heritage Gap Analysis Study for Neighbourhood Plan

8. References

- a) The National Planning Policy Framework (NPPF), 2019
- b) Norwich Development Management Policies Local Plan (DM), December 2014
- c) Anglia Square and surrounding area: Policy Guidance Note (PGN), March 2017

- d) Committee Report off Head of Planning Services to Planning Applications Committee on the subject of Application no. 18/00330/F (Committee Report) – Thursday 6th December 2018
- e) The drawings and documents submitted by the applicant as part of application no. 18/00330/F